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## Bylaws

# Libertarian Party Of South Dakota

Approved July 22, 2017



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# **Bylaws**

## **Libertarian Party of South Dakota**

### **ARTICLE I                      NAME AND PURPOSE**

These by-laws shall govern the Libertarian Party of South Dakota, a political party organized under the laws of South Dakota. Throughout these by-laws, the terms "party" and "LPSD" may be used interchangeably, referring to the same entity. The purpose of the LPSD is to promote libertarian solutions to contemporary problems through the political process.

### **ARTICLE II                      MEMBERS**

- Section 1.        Anyone who is registered in South Dakota as a Libertarian or who is a member of the U.S. National Libertarian Party is eligible to become a voting member upon payment of membership fees.
- Section 2.        Membership fees for the following year shall be set by the Executive Committee ("ExCom") no less than three (3) months after the annual meeting, to become effective upon official notification to the membership. Membership shall run for twelve months following payment of dues. Dues may be paid in part by providing service/labor at a rate approved by the ExCom. Until the first annual meeting under these bylaws the dues shall be five (5) dollars per year.
- Section 3.        Dues will be paid prior to the start of "Call to Order" of the annual LPSD State Convention.
- Section 4.        Members must be present at meetings to vote, or provide written proxies.



## ARTICLE III      OFFICERS AND EXECUTIVE COMMITTEE

Section 1.      Officers. Members filling the positions of officers must be current paid members of LPSD and reside in South Dakota. The following positions shall be filled by election during the annual Party meeting: Chair, Vice-Chair, Membership Director, Treasurer, Communications Director, State At-Large

Section 2.      Duties of Officers.  
**Chair.** The Chair or a member of the ExCom designated by the Chair shall conduct all meetings of the LPSD and the ExCom. The Chair or the Chairs designee shall be one of the LPSD delegates to the National Libertarian Party convention. The Chair has authority to speak on behalf of LPSD for all public relations activities and other duties assigned by the ExCom.

**Vice-Chair:** The Vice-Chair shall be the chief assistant to the Chair holding such executive powers as the Chair shall delegate, and shall perform such duties as shall be assigned by the Chair or the ExCom. The Vice-Chair shall make an annual report to the ExCom. The Vice-Chair shall perform or make provisions for performance of any legal assistance the party may require. If the office of the Chair becomes vacant, the Vice-Chair shall conduct meetings of the ExCom and the LPSD until the office of chair is filled.

**Membership Director:** The Membership Director shall be responsible for keeping records of the party membership. The Membership Director shall be responsible for communicating activities of the ExCom and state meeting to the membership. The Membership Director shall keep minutes and records as needed for recording the activities of the ExCom and meeting, and communicate these to members.

**Treasurer:** The Treasurer shall receive all money paid to the LPSD, and shall deposit the same in such bank or banks as have been designated by the ExCom, and shall disburse said money upon order of the ExCom. Treasurer shall make a complete financial report to the ExCom and at least annual reports to the membership. Treasurer shall perform all duties required of this office by applicable federal and state law.

***Communications Director:*** The Communications Director can act on behalf of the LPSD for all media requests, social media posts, television/radio appearances, live events, and interview requests. He or She will also be responsible for helping write articles, news, and announcements via the official party website. Will also contribute to organizing events of all types. The Communications Director reports to the State Chair.

***State At-Large:*** The State At-Large acts an ambassador for the party and may take on any role assigned by the State Chair for temporary or emergency purposes. At-Large does not have any specific defined role and exists to be a flexible member. At-Large reports to the State Chair.

Section 3. Executive Committee. The Executive Committee ("ExCom") shall consist of four (4) duly elected officers, plus two (2) members. Members elected to the ExCom must be members in good standing of the LPSD. Newly elected members for the ExCom shall serve *ex officio* until their terms become effective at the beginning of the following calendar year, unless immediate assumption of their duties is approved by the annual meeting or the ExCom.

Section 4. Standing and Ad Hoc Committees. The ExCom shall have the power to appoint committees. It may create and dissolve committees at any meeting of the ExCom by a majority vote.

Section 5. Meetings. The ExCom shall meet at least quarterly at such times and places as may be determined by the action of the committee, by call of the Chair, or by the written request of at least two (2) members of the ExCom. It may meet more frequently as necessary and per request of one-third (1/3) of the members. Either a written, telephone, or e-mail notice shall be given at least fourteen (14) days before a meeting. The ExCom may transact business by mail, telephone, or electronic media. The ExCom shall be prohibited from conducting any closed-door meetings and will not disallow any Party member in good standing from attending meetings.

Section 6. Quorum. A quorum is present when two-thirds (2/3) of the membership of a committee is present.

Section 7. Voting. A majority vote of those present at a meeting shall rule. In the event of a tie, the proposed action, business, or resolution fails.



Section 8. Term of Office. Terms of office for the officers and executive committee shall be one (2) years. A member may serve unlimited consecutive terms of office.

## ARTICLE IV CONVENTIONS AND MEETINGS

Section 1. Annual Convention and Party Meeting. The annual meeting shall be held at a date, time, and place determined by the ExCom with the provision that the dates should normally be during the period between 1 June and 31 August. The annual state convention must be held at least 1 week prior to the national Libertarian Party State Convention.

Section 2. Notice of Convention. Notices of the Convention will be mailed to all registered LPSD members, and other registered Libertarians in South Dakota (when such names and addresses are known) at least fourteen (14) days prior to the convention date. Such notice shall include the date, time, place, and any proposed actions to be taken by the membership. In addition, press releases of notice of the annual convention shall be submitted to major newspapers in at least Aberdeen, Pierre, Rapid City, and Sioux Falls, at least fourteen (14) days in advance of the annual convention.

Section 3. Special Membership Meetings. A special meeting of the members may be called as determined by the ExCom following the same procedures as Section 2 above.

Section 4. State Party Central Committee. The State Party Central Committee shall meet at the annual party meeting. It may meet more frequently as necessary and per request of one-third (1/3) of the members. Either a written, telephone, or e-mail notice shall be given at least fourteen (14) days before a meeting. The State Party Central Committee may transact business by mail, telephone, or electronic media. The State Party Central Committee shall be prohibited from conducting any closed-door meetings and will not disallow any Party member in good standing from attending meetings.

## ARTICLE V

## NOMINATIONS AND ELECTIONS

- Section 1. Eligibility. To be eligible for any Party office, a candidate must be a member in good standing of the Party and must reside in South Dakota.
- Section 2. Nominations and Elections of Officers and Executive Committee. Nominations shall be made by party members. The names of all nominees, in order nominated, shall be clearly posted during the Party meeting and immediately prior to voting. In the event only one (1) nomination is made, the Chair shall request a voice acclamation of the nominee from the members present to confirm the acceptance of the nominee. If there are two (2) or more nominations, a secret ballot shall be cast by the members. Two members shall be appointed by the Chair to tally the votes. Any member may inspect the ballots cast and bring discrepancies to the attention of the convention.
- Section 3. Endorsement of Political Office Seekers. The members shall endorse Libertarian candidates that have obtained the majority vote from the primary election. In the event no primary election was required (only one (1) candidate ran for office on the primary ballot), the Chair shall request a voice acclamation from the members. Primary election voters shall include any registered Libertarian, Independent, and other unaffiliated voters.
- Section 5. Vacancies in Positions of Officers and Executive Committee. In the event of a vacancy in the office of Chair, the ExCom shall select a member of the ExCom to serve as Chair. In the event of a vacancy in the position of any other officer or member of ExCom, the ExCom shall, within sixty (60) days of notification of said vacancy, choose, by majority vote, a qualified and consenting member of the LPSD to serve the remaining term of office in said position.
- Section 6. Majority Rule. In any Party or ExCom election, the members always have the right to vote for "NONE OF THE ABOVE". If "NONE OF THE ABOVE" wins a majority of the votes cast, nominations will be reopened. The office may be filled by reopening nomination and holding another vote.
- Section 7. National Libertarian Party Convention Delegates. At the Party Convention prior to the National Libertarian Party Convention, the members shall nominate members to serve as state co-delegates with the Chair or the Chair's designate. Nomination and election procedures shall be as for Party Officers and ExCom. Vacant delegate positions may be filled by appointment



by ExCom. Delegates to the National Convention shall vote on the first ballot for the presidential candidate who received the most votes in the South Dakota Libertarian primary election. Delegates shall continue to vote for that candidate through subsequent ballots, until released by that candidate, or until delegates agree that to continue to vote for that candidate would be counterproductive and/or would threaten party unity. If no Libertarian candidate for President of the United States qualifies for the general election ballot in South Dakota, delegates to the National Libertarian Convention may vote their consciences with respect to nomination of a national candidate.

## **ARTICLE VI**

## **FINANCE AND ACCOUNTING**

- Section 1. Budget and Membership. The budget and membership shall run concurrently and begin with 1 January and end with 31 December of each year.
- Section 2. Disbursements. All disbursements shall be made by check from a checking account authorized by the ExCom.
- Section 3. Borrowing. The LPSD may not borrow funds without unanimous concurrence of all members of the ExCom.

## **ARTICLE VII**

## **BYLAWS AMENDMENTS**

- Section 1. Required Vote. The bylaws of the LPSD may be added to, changed, amended, replaced, or revoked by 75% of the members present at any membership meeting of the LPSD or any special membership meeting of the LPSD or any special membership meeting of the LPSD.



- Section 2. Notification. Recommended additions, changes, amendments, replacements and revocations shall be inserted in the notice of the convention or meeting given to each member (Article IV, "Meetings").

## ARTICLE VIII

## MISCELLANEOUS

- Section 1. Recordkeeping. The LPSD shall keep complete books and records. Written minutes of the ExCom and member's meetings shall be preserved.
- Section 2. Annual Report. The Treasurer shall prepare an annual financial report for distribution to the membership during the annual meeting. The Treasurer shall also prepare required reports for the State of South Dakota, to be signed by the Chair.
- Section 3. Emergency Meetings. In case of an emergency action, the ExCom and/or the State Party Central Committee may hold a meeting with a twenty-four (24) hour notice by the most feasible means possible to include in person, telephone, radio, or other electronic communication.
- Section 4. Parliamentary Authority. Roberts' Rules of Order, Newly Revised, shall be the parliamentary authority for all matters of procedure not specifically covered in the bylaws or rules of the Party.
- Section 5. Malfeasance: Removal from Office of Officers or Executive Committee Members. Only in the event of an accusation by a LPSD member, of malfeasance or conviction of the commission of a felony on the part of any Officer or Member of ExCom, the remaining officers and members of ExCom shall meet within fourteen (14) days, by personal or electronic means, to hear evidence and to make a decision as to whether to remove the accused from office. A majority vote of the non-accused officers and members of ExCom shall be necessary to remove any other member of ExCom. The accused shall have the opportunity to present witnesses and a defense, and shall have the right to be present at all deliberations, and shall have the right to witness a non-secret vote on the removal question. "Malfeasance" shall be defined as significant dereliction of duty, or significant violation of the Bylaws of LPSD, or stealing from LPSD.

Section 6. Local Affiliates. LPSD members may, within a given jurisdiction (legislative district, county, municipality, precinct, or ward), organize a local affiliate, with at least three (3) LPSD members. The affiliate may select an appropriate name and submit a proposal (including bylaws) to the ExCom, and is recognized by the party upon approval of the proposal by the ExCom. An affiliate continues to be recognized as long as it shall annually report in writing or verbally to the ExCom or Annual State Convention. Jurisdictions with less than (3) LPSD members may be recognized by the ExCom as provisional affiliate, upon application. .

## **ARTICLE IX**

## **EFFECTIVE DATE**

These bylaws become effective immediately upon approval by the membership.

## **ARTICLE X      COUNTY/MUNICIPALITY/PRECINCT/STATE COMMITTEES**

Section 1. LPSD members and registered Libertarians may in each precinct organize a precinct committee consisting, at minimum, of a chairman and chairwoman, and up to five members or (10) percent of the local registered Libertarian voters, whichever is greater.

Section 2. The precinct committee chairman and chairwoman shall be elected as provided by SDCL 12-5. Remaining members of the committee shall be elected in open meeting of the Libertarian Party voting members of the precinct.

Section 3. Each precinct committee shall function as the local affiliate for its precinct, as provided in ARTICLE VIII Section 6, regardless of the number of LPSD members in the precinct.

Section 4. The precinct committee shall act as the local point of contact for all local government agencies, shall coordinate party activities in the precinct, and shall perform such duties as determined by the ExCom and the precinct committee.

Section 5. Two (2) or more precinct committees may organize and elect a municipality and/or county central committee, with approval of the ExCom or the Annual State Convention, which shall be organized in like manner as, as have the same responsibilities as, the precinct committee.

Section 6. The State Party Central Committee shall consist of individuals designated by county party central committees and the members of the ExCom representing unorganized counties. The party chair shall be the State Party Central Committee chair unless the State Party Central Committee designates another member to act in that capacity.

***--- END OF BYLAWS ---***



